

ENTERED

July 15, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

BRIAN MILLER

Plaintiff.

VS.

CITY OF TEXAS CITY, TEXAS; et al.

Defendants.

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CIVIL ACTION NO. 3:18–CV–00284

**ORDER ADOPTING MAGISTRATE JUDGE’S
MEMORANDUM AND RECOMMENDATION**

Pending before the Court are Plaintiff’s Objections to the Magistrate Judge’s Memorandum and Recommendation (“Objections”). Dkt. 37. On May 2, 2019, the City of Texas City’s Motion to Dismiss Plaintiff’s First Amended Complaint (Dkt. 15) was referred to Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). *See* Dkt. 25. On May 21, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 37) recommending that the City of Texas City’s Motion to Dismiss Plaintiff’s First Amended Complaint (Dkt. 15) be **GRANTED**.

On June 10, 2019, Plaintiff filed his Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may

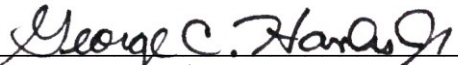
“accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison’s Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison’s Memorandum and Recommendation (Dkt. 37) be **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) The City of Texas City’s Motion to Dismiss Plaintiff’s First Amended Complaint (Dkt. 15) be **GRANTED**.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 15th day of July, 2019.



George C. Hanks Jr.
United States District Judge